

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM <i>(To be used for all correspondence after initial filing)</i>		Application Number	09/724,981	RECEIVED
		Filing Date	November 28, 2000	CENTRAL FAX CENTER
		First Named Inventor	Schenk, Dale B.	NOV 1 2003
		Art Unit	1647	
		Examiner Name	Sharon Turner	
Total Number of Pages in This Submission	6	Attorney Docket Number	15270J-004752US	OFFICIAL

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (PTO/SB/17) (1 p. submitted in duplicate)	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Terminal Disclaimer (over 09/580,018) (3 pages) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
The attached Terminal Disclaimer, which disclaims U.S. Application No. 09/580,018, is being filed for purposes of expediting prosecution and should not be construed as an acquiescence to obviousness type double patenting.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Rosemarie L. Celli	Reg. No. 42,397
Signature		
Date	November 13, 2003	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on November 14, 2003

Typed or printed name	Rosemarie L. Celli		
Signature			
	Date	November 14, 2003	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-767-9199) and select option 2.

80082637 v1

PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Depositor Account				
Deposit Account Number	20-1430			

Depositor Account Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Release filing fee			
1005 180	2006 80	Provisional filing fee			

SUBTOTAL (1) (\$ 110

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-	=	
			-	=	
			X	=	

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20			
1201 86	2201 43	Independent claims in excess of 3			
1203 290	2203 145	Multiple dependent claim, if not paid			
1204 86	2204 43	" Reissue independent claims over original patent			
1205 18	2205 9	" Reissue claims in excess of 20 and over original patent			

SUBTOTAL (2) (\$ 110

*or number previously paid, if greater. For Reissues, see above.

Complete if Known

Application Number	09/724,961
Filing Date	November 28, 2000
First Named Inventor	Schenk, Dale B.
Examiner Name	Sharon Turner
Art Unit	1647
Attorney Docket No.	15270J-004752US

FEE CALCULATION (continued)

Large Entity	Small Entity	Fee Description	Fee Paid	
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	
1051	130	2051 65	Surcharge - late filing fee or cash	
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130	Non-English specification	
1812	2,520	1812 2,520	For filing a request for reexamination	
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251 55	Extension for reply within first month	
1252	420	2252 210	Extension for reply within second month	
1253	950	2253 475	Extension for reply within third month	
1254	1,480	2254 740	Extension for reply within fourth month	
1286	2,010	2286 1,005	Extension for reply within fifth month	
1401	330	2401 165	Notice of Appeal	
1402	330	2402 165	Filing a brief in support of an appeal	
1403	230	2403 145	Request for oral hearing	
1451	1,510	1451 1,510	Petition to institute a public use proceeding	
1452	110	2452 55	Petition to revive - unavoidable	
1453	1,330	2453 665	Petition to revive - unintentional	
1501	1,330	2501 665	Utility issue fee (or reissue)	
1502	460	2502 240	Design issue fee	
1503	640	2503 320	Plant issue fee	
1460	130	1460 130	Petitions to the Commissioner	
1807	50	1807 50	Petitions related to provisional applications	
1808	160	1808 160	Submission of Information Disclosure Stmt	
8021	40	8021 40	Recording each patent assignment per property (times number of properties)	
1809	770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801 385	Request for Continued Examination (RCE)	
1802	900	1802 900	Request for expedited examination of a design application	
Other fee (specify) 1.20 (d) Statutory (Terminal) Disclaimer Fee				110

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 110

SUBMITTED BY

Name (Print/Type)	Rosemarie L. Celli	Registration No. (Attorney/Agent)	42,397	Telephone	650-326-2400
Signature	<i>Rosemarie L. Celli</i>				Date November 14, 2003

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TOWNSEND and TOWNSEND and CREW LLP

By: Rosemarie L. Celli
Rosemarie L. Celli

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.	:	09/724,961	Confirmation No. 9453
Applicant	:	Schenk	
Filed	:	November 28, 2000	
TC/A.U.	:	1600/1647	
Examiner	:	Nichols	
Docket No.	:	15270J-004752US	
Customer No.	:	20350	

Technical Center 1600
Commissioner for Patents
Alexandria, VA 22313

TERMINAL DISCLAIMER

Sir:

The undersigned is an authorized representative of Neuralab Limited (hereinafter "ASSIGNEE") and attorney of record in the above-identified patent application. ASSIGNEE is the assignee of total interest of:

1. Application No. 09/724,961 (the " '961 APPLICATION")
2. Application No. 09/580,018 (the " '018 APPLICATION")

SCHENK, Dale B.
Application No.: 09/724,961
Page 2

PATENT

ASSIGNEE is the exclusive owner of the '961 APPLICATION and the '018 APPLICATION. ASSIGNEE disclaims the terminal part of any patent granted on the '961 APPLICATION which would extend beyond the last day of the full statutory term of the '018 APPLICATION.

Further, ASSIGNEE agrees that any patent granted on the '961 APPLICATION shall be enforceable only for and during the period that the legal title to the patent granted on the '961 APPLICATION shall be the same as the legal title to the '018 APPLICATION and agrees that this Terminal Disclaimer shall run with any patent granted on the '961 APPLICATION and shall be binding on the grantee or its successors or assigns.

In making the above disclaimer, ASSIGNEE does not disclaim the terminal part of any patent granted on the '961 APPLICATION that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the '018 APPLICATION, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

This disclaimer is directed to patents issuing from the indicated '961 APPLICATION only and is not intended to act as a disclaimer of any part of the statutory term of any patent issuing from a divisional or continuation application that claims priority to either the '961 APPLICATION or to use the term of such a patent issuing from a divisional or continuation application in calculating the term of the present '961 APPLICATION.

The assignment documents evidencing title referred to above have been reviewed by the undersigned, and it is certified that title is in the ASSIGNEE.